

REMARKS/ARGUMENTS

Reconsideration is requested of the rejection of claims 3–5 and 10–14 on the grounds of the judicially created doctrine of obviousness-type double patenting over claims 1-11 and 19-22 of U.S. Patent No. 6,461,563 and over claims 1-6 of U.S. Patent No. 6,660,225.

A terminal disclaimer, and the associated fee, are attached to this response.

Reconsideration is requested of all rejections based on 35 USC 103:

Examiner has pointed out that, as previously worded, claim 3 could be interpreted as being applicable to any set of mixtures of different composition. Examiner is correct in this assessment and we thank him for bringing it to our attention. We have, accordingly, amended claim 3 so that it is now restricted to mixtures that differ from one another in one, and only one, functional property.

With regard to the rejection of claims 10-14 over Bieberich in view of Seyama and further in view of Hiraoka, examiner's argument has been that, while admitting that Bieberich's process is not the same as our process, the end products are similar. He further argues that, since Seyama teaches how to form an object comprising two different materials by means of successive injection molding steps followed by sintering, it would be obvious to use Seyama's method to form Bieberich's object.

This might be true were it not for the fact that none of the cited processes, including Seyama's process, includes the key novel feature of our claim 10 which is the use of a third feedstock as a sacrificial volume which, after sintering, is fully removed, as stated in the final clause of claim 10.

Appl. No. 10/676,216
Amdt. dated 10/23/2006
Reply to Office action of 09/05/2006

This argument was presented in one of our earlier responses but appears to have escaped examiner's attention as he has, to date, not rebutted it.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

SAILE ACKERMAN LLC.

28 Davis Avenue
Poughkeepsie
NY 12603

By 

Stephen B. Ackerman Reg.
Reg. No. 37761